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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/534,153	06/16/2005	Nobuaki Tanaka	38204	1383
52054	7590	12/03/2007		
PEARNE & GORDON LLP 1801 EAST 9TH STREET SUITE 1200 CLEVELAND, OH 44114-3108			EXAMINER DABNEY, PHYLESHA LARVINIA	
			ART UNIT 2614	PAPER NUMBER
			NOTIFICATION DATE 12/03/2007	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patdocket@pearne.com
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Office Action Summary

Application No.

10/534,153

Applicant(s)

TANAKA ET AL.

Examiner

Phylesha L. Dabney

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 September 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2 and 4-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 4-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☒ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 9/19/07.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

This action is in response to the Application filed on 19 September 2007 in which previously presented claims 1-2, 4-7, and new claims 8-14 are pending.

Information Disclosure Statement

1. The "resubmission" information disclosure statement (IDS) submitted on 19 September 2007 was filed after the mailing date of the Non-Final Action on 5 July 2007. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Specification

2. The disclosure is objected to because of the following informalities: on page 12, paragraph beginning on line 15, the recitation "...between either metal fitting 201 and the radiating element 203..." should be amended to point out that the Applicant intended for the passive element to be connected to either metal fitting 201a or 201b. Appropriate correction is required.

Claim Objections

3. Claim 12 is objected to because of the following informalities: claims status identifier "currently amended" is incorrect. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-2, and 4-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Stewart et al (U.S. Patent No. 6,266,019).

Regarding claims 1 and 4-5, Stewart teaches a communication terminal including a circuit board (615) having a ground plane (618), the circuit board connected to an antenna, and the board contained in a casing, the communication terminal, comprising: a first conductive part (621), formed of a conductor, and provided in the casing so as to be exposed from a rear face of the casing; and a second conductive part (621), as per claim 4), formed of a conductor, and provided in the casing so as to be exposed from a bottom face or side face of the casing, wherein the second conductive part is electrically connected to the ground plane of the circuit board and to the first conductive part (col. 7 line 40 through col. 8 line 10).

Regarding claim 2, Stewart teaches the communication terminal as set forth in claim 1, further comprising a conductor fitting (617) which is provided between the second conductive and the ground plane(618) of the board, wherein the radiating element (622) is electrically

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connected to the ground plane of the board through the passive element.

5. Claims 6-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Sadler et al (U.S. Patent No. 7,136,681).

Regarding claims 6 and 8, Sadler teaches a communication terminal including a circuit board (1030) to which a shield case (1064, 1066; shield cans) is attached on a rear face side of a casing (1010, 1020; specifically casing 1010), the circuit board connected to an antenna (140, 240 as related to figure 13), and the circuit board contained in the casing, the communication terminal, comprising: a conductive board (1062), formed of a conductor, and arranged along a rear face of the casing; and a conductor part (260; 360, 460, 560; protrusion as related to fig. 13; col. 7 lines 63-67) formed of a conductor, and provided between the rear face of the casing and the circuit board, wherein the conductor part is electrically connected to the shield case and the conductive board.

Regarding claim 7 (currently amended): A communication as set forth in claim 6, wherein the conductive board (1062) is arranged so as to be exposed from the rear face of the casing (153; col. 4 lines 10-14; the brand portion of the conductive board is visible as related to fig. 13).

Regarding claim 8, Sadler teaches the communication terminal as set forth in claim 6, wherein the conductive board and the conductor part are formed in one piece (col. 5 lines 26-29,

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as related to fig. 13).

Regarding claim 9, Sadler teaches a communication terminal including a circuit board (1030) having a ground plane (1032), the circuit board connected to an antenna (140, 240 as related to figure 13), and the circuit board contained in a casing (1010), the communication terminal comprising: a first conductive part (1062), formed of a conductor, and arranged along only a lower portion of a rear face of the casing; and a second conductive part (260, 360, 460, 560; protrusion as related to fig. 13; col. 7 lines 63-67), formed of a conductor, and provided between the rear face of the casing and the circuit board, wherein the second conductive part is electrically connected to the ground plane of the circuit board and to the first conductive part.

Regarding claim 10, Sadler teaches the communication terminal as set forth in claim 9, wherein the first conductive part (1062) is provided in the casing so as to be exposed from the rear face of the casing, and wherein the second conductive part (260, 360, 460, 560; relative to casing 1010 with protrusion extended in a perpendicular outward direction as shown in figs. 4 and 6 as related to fig. 13), is provided in the casing so as to be exposed from a bottom face or *side face* of the casing.

Regarding claim 11, Sadler teaches the communication terminal as set forth in claim 9, further comprising a conductor fitting (1064, 1066; shield cans) which is provided between the second conductive part and the ground plane of the circuit board, wherein the second conductive

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part is electrically connected to the ground plane of the circuit board through the conductor fitting (col. 7 lines 63-67).

Regarding claim 12, Sadler teaches the communication terminal as set forth in claim 9, further comprising a passive element (capacitive or inductive; 360, 460; col. 2 lines 60-67 and col. 7 lines 63-67, relative to electrically conductive elements providing a bridge between the part and the circuit board) which is provided between the second conductive part and the ground plane of the circuit board, wherein the second conductive part is electronically connected to the ground plane of the circuit board through the passive element.

Regarding claim 13, Sadler teaches the communication terminal as set forth in claim 9, wherein the first conductive part and the second conductive part are formed in one piece (col. 5 lines 26-29, as related to fig. 13).

Regarding claim 14, Sadler teaches the communication terminal as set forth in claim 9, further comprising a shield case (1064, 1066; shield cans) attached to the circuit board.

Response to Arguments

6. Applicant's arguments filed have been fully considered but they are not persuasive.

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7. With respect to the Applicant argument pertaining to claims 1, 2, and 4-7 that Steward does not teach *exposed first and second conductive parts provided in a communication terminal casing*, the Examiner disagrees. Steward clearly shows the “exposed” first and second conductive parts (relative to figures wherein the three pieces have the same length and width dimensions) provide in a communication terminal casing (relative to the figures wherein the casing has an upper and lower portion on either side of the conductive parts).

8. With respect to the Applicant argument pertaining to claim 6 that Steward does not teach *a conductor part... arranged along a rear face of the casing, ...wherein the conductor part is electrically connected to the shield case and the conductive board*, the Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection utilizing Sadler et al (U.S. Patent No. 7,136,681).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phylesha L. Dabney whose telephone number is 571-272-7494.

The examiner can normally be reached on Mondays, Wednesdays, Fridays 8:30-4 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz can be reached on 571-272-7499. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Any response to this action should be mailed to:
Commissioner of Patents and Trademarks
P O Box 1450
Alexandria, VA 22313-1450

Or faxed to:
(703) 273-8300, for formal communications intended for entry and for informal or draft communications, please label "Proposed" or "Draft" when submitting an informal amendment.

Hand-delivered responses should be brought to:
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system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

November 16, 2007

PLD


MELUR RAMAKRISHNAIAH
PRIMARY EXAMINER